

Remarks

Claims 1-13 were pending. The applicant has cancelled claims 1-13 without prejudice and added claims 14-33, of which claims 14 and 22 are independent and the remaining claims are dependent.

In the Office Action of September 1st, 2006, the Examiner explained that the Applicant must file certain references in order for them to be considered in connection with an Information Disclosure Statement. The applicant apologizes for the omission and is filing the requested references in a supplement Information Disclosure Statement.

The Examiner objected to the drawings. The applicant appreciates the Examiner's explanation and is filing corrected drawings herewith, marked as requested by the Examiner in the Office Action.

The application has also amended the Specification to eliminate a typographical error.

The Examiner interpreted all of the Applicant's original claims as system claims and rejected them all for a variety of reasons under 35 U.S.C. 112, 101, 102, and 103. Rather than pursue such claims at this time, the Applicant has added a new set of the method claims. The applicant is not submitting the attached new claims for patentability reasons (in order to overcome the rejections or the cited art) but rather in order to pursue the inventive method at this time. In this regard, the Applicant notes that, although not construed as such by the Examiner in the Office Action, the Applicant had intended that at least original claims 6-13 were method claims.

In any event, the Applicant submits that all new claims 14-33 are in condition for allowance. For example, the Cooper reference is directed to a particular watermarking or authentication system. The present claims are not directed to watermarking or authentication per

se. This is not to say that the Applicant's claims exclude authentication or watermarking, but rather that the novel subject matter recited in the claims is not directed to such a method per se.

As another example, the Rose reference is directed to a system in which users upload files. The present methods are not directed to uploading by users per se.


Rather, the applicant's claims all recite methods in which the particular content being downloaded to a user as recited in the claims is on a content downloading system which the user accesses to procure content. Similarly, this is not to say that the Applicant's claims exclude uploading by a user, but rather that the novel subject matter recited in the claims is not directed to such a method per se.

The Applicant therefore submits that all claims recite patentable methods and are allowable. The Applicant appreciates the courtesy of the Examiner's requests in the Office Action. The Applicant will call the Examiner to arrange an interview at the Examiner's convenience in order to discuss the new claims and their allowability in the Applicant's view.

Respectfully submitted,

Date:

11-20-06


Robert W. Crocitto
775-852-3112.